

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**RED BARN MOTORS, INC.,
DONALD B. RICHARDSON, AND
BARBARA A. RICHARDSON,**

Plaintiffs,

v.

**NEXTGEAR CAPITAL, INC.,
as successor-in-interest to
DEALER SERVICES CORPORATION,
and LOUISIANA'S FIRST CHOICE
AUTO AUCTION, L.L.C.**

Defendants.

Acknowledged

TWP

November 5, 2015

CIVIL

ACTION NO. : 1:14-cv-01589-TWP-DKL

RULE 41(a)(1)(A) NOTICE OF DISMISSAL

Now into Court, through undersigned counsel, come Plaintiffs Donald B. Richardson, and Barbara A. Richardson, who, pursuant to Fed. R. Civ. P. 41(a)(1)(A), file this Notice of Dismissal of their claims in the captioned matter and state as follows:

1.

Defendants, NextGear Capital, Inc., and Louisiana's First Choice Auto Auction, L.L.C., have filed neither an answer nor motion for summary judgment.

2.

Plaintiffs, Donald B. Richardson and Barbara A. Richardson, dismiss all of their claims against both NextGear Capital, Inc., and Louisiana's First Choice Auto Auction, L.L.C., without prejudice.

3.

This dismissal does not extend or relate to any claims asserted by Plaintiff, Red Barn Motors, Inc.

Wherefore, Plaintiffs, Donald B. Richardson and Barbara A. Richardson, pursuant to Fed. R. Civ. P. 41(a)(1)(A), file this Notice of Dismissal voluntarily dismissing their claims in the captioned matter against Defendants, NextGear Capital, Inc., and Louisiana's First Choice Auto Auction, L.L.C., without prejudice.

Respectfully submitted,

CASSIE FELDER & ASSOCIATES, L.L.C.

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CERTIFICATE OF SERVICE

I do hereby certify that I have on the 4th day of November, 2015, served a copy of the foregoing *Rule 41(a)(1)(A) Notice of Dismissal* on all counsel of record via electronic service by the court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

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/s/ Joshua P. Melder

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